

**06-O-1338**

**A SUBSTITUTE ORDINANCE  
BY FINANCE/ EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE X, DIVISION 4, SECTION 2-1188 (C) OF THE CITY OF ATLANTA CODE OF ORDINANCES, TO CHANGE THE MEANS BY WHICH PUBLIC NOTICE OF CONTRACT OPPORTUNITIES IS GIVEN, BY PROVIDING FOR ONLINE SOLICITATIONS FOR PROCUREMENT SERVICES WHICH ARE NOT GOVERNED BY STATE LAW, AND REPEALING THE REQUIREMENT THAT SOLICITATIONS BE ADVERTISED IN A NEWSPAPER OF GENERAL CIRCULATION; AND FOR OTHER PURPOSES.**

**WHEREAS**, Section 2-1188(c) sets forth the prescribed method of providing public notice of solicitations for competitive sealed bids, competitive sealed proposals ("RFPs") and requests for qualifications ("RFQs") for procurement of goods, services, supplies, construction and professional and consultant services; and

**WHEREAS**, Chapter 2, Article X, Section 2-1188 (c) (1) of the City of Atlanta ("City") Code of Ordinances provides that "an advertisement inviting bids shall be published at least once a week for two consecutive weeks, in at least one newspaper of general circulation in the city, at least 14 days preceding the date set for receipt of the bids"; and

**WHEREAS**, pursuant to Section 2-1188 (c) (1) solicitations are currently advertised in the Atlanta Journal Constitution at an average cost of One Thousand, Five Hundred Dollars (\$1,500.00) to One Thousand, Eight Hundred Dollars (\$1,800.00) per solicitation; and

**WHEREAS**, the adoption of the Procurement Code in 1977 has been followed by advances in telecommunications and extensive public utilization of electronic media which have established the internet as a viable means of notifying the public of contracting opportunities with the City; and

**WHEREAS**, the City has developed a publicly-accessible website for the dissemination of various items of information regarding the City's operations; and

**WHEREAS**, the City would realize substantial savings from the implementation of solicitation of contracting opportunities on the internet by way of the City's website; and

**WHEREAS**, the City desires to solicit bids, RFPs and RFQs, on the internet for procurement of goods, services, supplies, construction and professional and consultant services which are not governed by state law.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS as follows:**

**SECTION 1:** Chapter 2, Article X, Division 4, Section 2-1188 (c) (1) which reads:

(c) Public notice.

(1) General notice. An advertisement inviting bids shall be published at least once a week for two consecutive weeks, in at least one newspaper of general circulation in the city, at least 14 days preceding the date set for receipt of bids. Notice of bid security, if required, shall be included in the public notice. The public notice shall contain a general description of the supplies, services, construction or professional and consultant services to be procured and shall state the location of where appropriate solicitation documents may be obtained and the time and place of opening the documents.

be hereby amended to read as follows:

(c) Public notice.

(1) General notice. An advertisement inviting bids shall be posted conspicuously at the Department of Procurement and advertised on an Internet website of the City of Atlanta, or a website designated by the City of Atlanta for such purpose and clearly indicated for that purpose. The advertisement shall be posted for 14 consecutive days preceding the date set for receipt of bids. Notice of bid security, if required, shall be included in the public notice. The public notice shall contain a general description of the supplies, services, construction or professional and consultant services to be procured and shall state the location of where appropriate solicitation documents may be obtained and the time and place of opening the documents.

**SECTION 2:** That all sections of the City of Atlanta Code of Ordinances making reference to Section 2-1188 (c) shall be interpreted to refer to the section as amended in this ordinance.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

**CONDITION FOR APPROVAL FORM  
(TO ACCOMPANY LEGISLATION)**

COMMITTEE: Finance/Executive

DATE: 1/10/7

ORDINANCE # 06-0-1338 RESOLUTION # \_\_\_\_\_

REQUESTED BY: Committee

DIRECTED TO: Procurement

**NATURE OF CONDITION FOR APPROVAL:**

Receive a substitute to spell out flexibility by  
departments including an additional "Whereas Clause"  
regarding private advertisement

**WHEN IS THIS INFORMATION DUE, AND TO WHOM?**

**WILL THIS RESULT IN AN AMENDMENT TO THE LEGISLATION?**

YES ( ) NO ( )

**WILL THIS RESULT IN A SUBSTITUTE TO THE LEGISLATION?**

YES (✓) NO ( )

**HAS THIS INFORMATION BEEN RECEIVED? YES ( ) NO ( )**

**DATE OF RECEIPT:** \_\_\_\_\_

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BY FINANCE/ EXECUTIVE COMMITTEE**

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be hereby amended to read as follows:

(c) Public notice.

(1) General notice. An advertisement inviting bids shall be posted conspicuously at the Department of Procurement and advertised on an Internet website of the City of Atlanta, or a website designated by the City of Atlanta for such purpose and clearly indicated for that purpose. The advertisement shall be posted for 28 consecutive days preceding the date set for receipt of bids. Notice of bid security, if required, shall be included in the public notice. The public notice shall contain a general description of the supplies, services, construction or professional and consultant services to be procured and shall state the location of where appropriate solicitation documents may be obtained and the time and place of opening the documents.


**SECTION 2:** That all sections of the City of Atlanta Code of Ordinances making reference to Section 2-1188 (c) shall be interpreted to refer to the section as amended in this ordinance.

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TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Simone D. Brathwaite 

Contact Number: x 6310

Originating Department: Procurement 

Committee(s) of Purview: Finance/ Executive Committee

Council Deadline: May 30, 2006

Committee Meeting Date(s): June 13-14, 2006 Full Council Date: June 19, 2006

Commissioner Signature \_\_\_\_\_

**CAPTION**


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FINANCIAL IMPACT:

Mayor's Staff Only

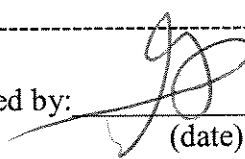
Received by Mayor's Office: \_\_\_\_\_

(date)

5.31.06 

Reviewed by: \_\_\_\_\_

(date)



Submitted to Council: \_\_\_\_\_

(date)

6/2/06

RCS# 312  
6/19/06  
2:18 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

CONSENT II PG(S)

REFER

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	B Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II